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August 27, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *August 18, 2003, Request for Further Information Regarding Transfer of Certain
Commission Licenses from Bell Atlantic New Zealand Holdings, Inc. to Pacific
Telecom Inc., IB Docket No. 03-115*

Dear Ms. Dortch:

This letter is submitted on behalf of Pacific Telecom Inc. ("Pacific Telecom" or "PTI") in response to the Commission's August 18, 2003, information request.

Pacific Telecom submits under separate cover and request for confidentiality pursuant to Sections 0.457 and 0.459 of the Commission's rules (redacted copy attached and served upon all parties), a "*Pro Forma* Balance Sheet of Pacific Telecom Inc. Immediately After Closing," and associated documentation in the form of a bank letter dated August 26, 2003.

The *pro forma* balance sheet indicates that Pacific Telecom will have a debt/equity ratio and debt/ebitda (earnings before interest, taxes, depreciation and amortization) ratio that is equal to or better than many well-known diversified telecommunications companies worldwide. The bank letter indicates that the largest bank in South East Asia has made a firm financial commitment to partially fund the purchase of MTC (reflected as "long term debt" on the *pro forma* balance sheet). Although Pacific Telecom requests confidentiality to prevent disclosure of these materials to the general public, Pacific Telecom does not object to providing petitioners in IB Docket No. 03-115 access to these documents, subject to an appropriate protective order that limits the number of individuals who may have access to the documents and prohibits use of the documents for any purpose other than for use in this proceeding.

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Please contact the Pacific Telecom' undersigned attorneys if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, reading "Timothy J. Cooney", is written over a horizontal line.

Kenneth D. Patrich
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cc: Attached service list

August 27, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Request Pursuant to 47 C.F.R. §§ 0.457(d) and 0.459 for Confidential Treatment of Financial Qualifications Information Associated With Response of Pacific Telecom To FCC Information Request Dated August 18, 2003, in IB Docket 03-115*

Dear Ms. Dortch:

This letter request is submitted on behalf of Pacific Telecom Inc. ("Pacific Telecom") in association with the August 27, 2003, letter filed this date in IB Docket No. 03-115. Pursuant to Sections 0.457(d) and 0.459 of the Commission's rules, Pacific Telecom requests that the materials attached to this letter be withheld from public inspection.¹ The information for which confidentiality is sought comprises sensitive commercial and financial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").² Exemption 4 allows parties to withhold from public information "trade secrets and commercial or financial information obtained from any person and privileged or confidential-categories of materials not routinely available for public inspection."³ Applying Exemption 4, the courts have stated that commercial or financial information is confidential if its disclosure will have either of the following effects: (1) impairs the government's ability to obtain necessary information in the future; or (2) causes

¹ Section 0.457(d)(2) of the Commission's rules allows persons submitting materials that they wish withheld from public inspection in accordance with Exemption 4 of the Freedom of Information Act ("FOIA") to file a request for non-disclosure. 5 U.S.C. § 552(b)(4); 47 C.F.R. § 0.457(d). The requirements governing such requests are set forth in Section 0.459(b).

² See 5 U.S.C. § 552(b)(4); 47 C.F.R. § 0.457(d).

³ *Id*

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substantial harm to the competitive position of the person from whom the information was obtained.⁴

Pacific Telecom does not object to providing the materials described below to petitioners in IB Docket No. 03-115 subject to an appropriate protective order limiting access to designated individuals and barring use of the documents for any purpose other than for use in this proceeding.

Information in support of Pacific Telecom's request for confidential treatment, and responsive to Section 0.459(b) of the Commission's rules, is provided below:

1. The information for which confidentiality is requested consists of a) a pro forma balance sheet for Pacific Telecom created in response to the FCC's information request of August 18, 2003, and b) a letter from a bank stating its willingness to lend money to Pacific Telecom to partially fund the purchase of The Micronesian Telecommunications Corporation and GTE Pacifica Inc. (collectively, "MTC").
2. The relevant FCC proceeding is IB Docket No. 03-115. The materials are responsive to the information request dated August 18, 2003, from James Ball, Chief, Policy Division, International Bureau.
3. The materials subject to this request for confidential treatment are commercial and financial because they relate to the financial standing of Pacific Telecom immediately after closing on its acquisition of the Operating Companies and the creditworthiness of Pacific Telecom's ultimate owners. The materials also indicate how much a commercial bank is willing to lend.
4. Substantial competition exists in the industry. The presence of competitors makes imperative the confidential treatment of sensitive commercial information.
5. Disclosure of the private financial information could result in substantial competitive harm because competitors would be aware of the extent of Pacific Telecom's financial resources and debt levels. Public disclosure of this information could negatively affect Pacific Telecom's future negotiations with potential and existing customers.

⁴ See *National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974) (footnote omitted); see also *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879-80 (D.C. Cir. 1992), cert. denied, 507 U.S. 984 (1993).

Ms. Marlene H. Dortch

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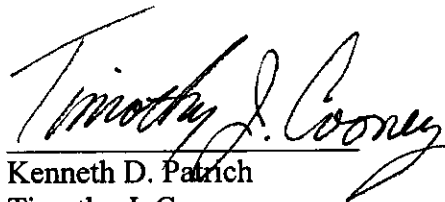
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6. Pacific Telecom has taken measures to prevent unauthorized disclosure of the documents. The materials subject to this request are newly created and have never been disclosed to third parties other than to the seller of MTC, Bell Atlantic New Zealand Holdings, Inc. ("BANZHI").
7. As stated above, Pacific Telecom has not disclosed the materials other than to seller, BANZHI; and they are not available to the public.
8. Because the documents relate to the debt level of privately held Pacific Telecom and the acquisition price of MTC, Pacific Telecom requests continuing confidential treatment of the materials subject to this confidentiality request.

Please contact the undersigned attorneys for Pacific Telecom if you have any

questions.

Respectfully submitted,



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August 27, 2003

CERTIFICATE OF SERVICE

I, Felicia Lane, a legal secretary at Wilkinson Barker Knauer, LLP certify that on August 15, 2003, the foregoing was served on all parties listed below by hand delivery (indicated by asterisk) and US. mail, first class, postage prepaid.

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